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UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WESTERN DIVISION

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## NORTH DAKOTA HANDBOOK

### 1940 Agricultural Conservation Program

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#### PURPOSES OF THE PROGRAM

(1) To protect and restore the soil resources of the Nation by enabling farmers to plant soil-building crops and carry out soil-building practices.

(2) To raise farm income by bringing supplies of major crops in line with demand and by offering payments to farmers for cooperating in bringing about better conditions for agriculture.

(3) To stabilize and maintain adequate food supplies for consumers.

#### HOW THE PROGRAM WORKS

Payments may be earned by planting within farm acreage allotments and for carrying out soil-building and soil-conserving practices.

Individual farm allotments and normal yields are determined, by the county committee in cooperation with community committees, for wheat in all counties and potatoes in counties in which potato production is important. Total soil-depleting allotments and farm productivity indexes are determined for all farms.

#### WHEAT

Wheat acreage allotments and yields are determined by the county committee in cooperation with community committees for all farms on which wheat is grown.

**Payment and deduction on wheat-allotment farms.**—A payment will be computed equal to 9 cents per bushel times the normal yield of wheat for the farm for each acre in its wheat-acreage allotment. The approximate amount of the wheat payment is shown on the prescribed form, WR-406A.

A deduction will be made on a wheat-allotment farm of 50 cents per bushel times the normal yield for each acre planted to wheat in excess of its wheat-acreage allotment.

**Non-wheat-allotment farm.**—A farm may be considered to be a non-wheat-allotment farm if the persons having an interest in the wheat so elect. A farm for which a wheat-acreage allotment was not

determined is also considered to be a non-wheat-allotment farm. No wheat payment will be made on a non-wheat-allotment farm.

On a non-wheat-allotment farm, the deduction will be 50 cents per bushel times the normal yield for each acre of wheat harvested for grain or for any other purpose after reaching maturity in excess of the wheat-acreage allotment or 10 acres, whichever is larger.

Acreage will be considered to be planted to wheat if (1) seeded to wheat (except a mixture containing less than 50 percent by weight of wheat or containing 25 percent or more by weight of rye or barley); (2) any acreage of volunteer wheat which was harvested or remains on the land after May 1, 1940; (3) any acreage of land which is seeded to the above approved wheat mixture but on which the crops other than wheat fail to reach maturity and the wheat is harvested for grain or seed or reaches maturity.

## POTATOES

In Cass, Cavalier, Grand Forks, Pembina, Richland, Steele, Traill, and Walsh Counties, a potato allotment will be determined for each farm which normally grows 3 acres or more of potatoes. A payment will be computed equal to 3 cents per bushel, times the normal yield of potatoes for each acre in the potato allotment. If a farmer plants less than 80 percent of the potato acreage allotment, the allotment and consequently the payment will be reduced. The approximate potato payment is shown on WR-406A. If an acreage in excess of the larger of the potato acreage allotment or 3 acres is planted on a farm in the above-listed counties, a deduction of 30 cents per bushel of the farm's normal yield will be made for each excess acre.

## TOTAL SOIL-DEPLETING ALLOTMENT

Total soil-depleting allotments and productivity indexes will be determined for all farms.

**Payments and deductions on general-allotment farms.**—On a general-allotment farm, a payment of \$1.10 per acre, adjusted for productivity, will be computed for each acre in the total soil-depleting acreage allotment determined in excess of the sum of (1) the wheat and potato acreage allotments with respect to which payments are computed for the farm and (2) the acreage of sugar beets planted for harvest in 1940 for the extraction of sugar. The approximate amount of this payment is shown on WR-406A.

On a general-allotment farm, a deduction of \$8 per acre, adjusted for productivity, will be made for soil-depleting acreage in excess of the sum of the total soil-depleting acreage allotment for the farm and any excess acreages of wheat and potatoes with respect to which deductions are computed.

**Payments and deductions on non-general-allotment farms.**—A farm for which a total soil-depleting acreage allotment of 20 acres or less is determined will be considered as a non-general-allotment farm if the persons having an interest in the general soil-depleting crops on the farm so elect on WR-406A.

No payment will be made with respect to general crops on non-general-allotment farms. However, the soil-building allowance is larger on these farms.

On non-general-allotment farms a deduction of \$8 per acre, adjusted for productivity, will be made for soil-depleting acreage in excess of the sum of 20 acres and any excess acreages of wheat and potatoes with respect to which deductions are computed.

### RESTORATION LAND

Restoration land is land which has been cropped at least once since January 1, 1930, and which is designated by the county committee as not suited for cultivation and which should be restored to a permanent vegetative cover.

A payment of 15 cents per acre will be computed for each acre of restoration land designated for the farm. This payment will be made to the person who is the owner of the land as of June 30, 1940, unless the land is rented for cash, in which case the payment will be made to the cash tenant as of that date.

A deduction of \$3 will be made for each acre of restoration land which is plowed or tilled for any purpose other than tillage practices to protect the land from wind erosion or to prepare a seedbed for an approved nondepleting cover crop, permanent grass, or grass mixture.

### MISCELLANEOUS DEDUCTIONS

A deduction of \$1 per acre will be made for land which is subject to serious wind or water-erosion hazards if acceptable methods of control are not performed.

A deduction of \$3 per acre will be made for native sod or any other land on which a permanent vegetative cover has been established which is broken out. If the acreage is broken out with the approval of the county committee and at least an equal acreage of cropland other than restoration land is restored to permanent vegetative cover the deduction will not apply.

### SOIL-BUILDING ALLOWANCES

The maximum amount which may be earned on a farm by carrying out soil-building practices is equal to the sum of the following items:

(1) 55 cents per acre of cropland in the farm in excess of the total soil-depleting acreage allotment for the farm.

(2) \$2 per acre of commercial orchards and perennial vegetables on the farm January 1, 1940 (excluding nonbearing orchards).

(3) 3 cents per acre of noncrop pasture land plus 75 cents for each animal unit of grazing capacity. On acreages in excess of 640 acres, the allowance under this item cannot be computed on more than one animal unit for each 10 acres, or, if more than 60 acres are required to carry 1 animal unit, the total allowance under this item 3 shall be \$2.55 for each animal unit of grazing capacity. In no case will the amount computed under this item be less than 10 cents times the number of noncrop pasture acres or 640 acres, whichever is smaller.

(4) \$1.10 per acre, adjusted for productivity, on a non-general-allotment farm for each acre in the total soil-depleting acreage allotment in excess of the sum of (1) the wheat- and potato-acreage allotments with respect to which pay-



ments are computed for the farm and (2) the acreage of sugar beets planted for harvest in 1940 for the extraction of sugar.

(5) 45 cents per acre for each acre of restoration land.

For any farm where the sum of the payments computed for wheat, potatoes, restoration land, total soil-depleting allotment, and under items 1 through 5 above, is less than \$20, the soil-building allowance shall be increased by the amount of the difference. In addition, a payment will be computed of \$7.50 per acre for planting forest trees, not to exceed a total of \$30 per farm.

## SOIL-BUILDING PRACTICES

In determining the acceptability of the methods used in carrying out soil-building practices, the farmer should be guided by the specifications contained herein and any additional specifications issued by the State committee or by the county committee with the approval of the State committee as are needed in the interest of conservation. This applies particularly to rates, dates, and methods of seeding, cultural practices, adaptability of soil-conserving crops, trees, or shrubs, methods of weed control, etc., used in connection with soil-building practices.

The farmer must make sure that the seed used is adapted to the community, free from noxious weeds and relatively free from other weed seeds, and is seeded in sufficient quantity to meet the minimum seeding requirements in good viable seed. The farmer will be expected to cooperate with organized insect-control agencies in the area where the operating unit is located, whenever an organized insect-control campaign is operated in the area.

The approximate maximum amount that may be earned, by use of the soil-building practices in this handbook, on any operating unit in North Dakota is the amount shown on the farm plan and estimate sheet (WR-406A).

The soil-building practices listed below are applicable when carried out on cropland and noncropland, except when otherwise specified. If all or part of the labor, seed, or materials is furnished by any governmental agency, no credit or only partial credit will be given for the practice.

The county committee will furnish further detailed information.

Any combination of soil-building practices on the same land may be allowed by the county committee subject to the approval of the State committee.

The 1940 program year for carrying out soil-building practices will be the period January 1, 1940, through October 31, 1940.

## APPLICATION OF MATERIALS

**Practice 1 (i).—Superphosphate:** \$1.50 for each 300 pounds of superphosphate, or its equivalent of 48 pounds of  $P_2O_5$  in other forms of fertilizer, applied to old stands or in connection with the seeding of perennial legumes or perennial grasses on cropland. Rock phosphate and basic slag will not qualify under this practice. Proof of application in the form of receipts or other evidence acceptable to the county committee, must be furnished by the operator. No credit will be given for this practice when used in connection with soil-depleting crops.

## SEEDINGS

**Practice 6.—Seeding alfalfa:** \$1.50 for each acre of cropland or restoration land seeded not later than June 15, 1940, to adapted varieties of alfalfa, at rates of seeding recommended by the county committee and approved by the State committee.

**Practice 7.—Seeding permanent pasture mixture:** \$3 for each acre of cropland or restoration land seeded to crested wheatgrass, slender wheatgrass, western wheatgrass, or bromegrass, or mixtures of two or more of these grasses. Seeding must be done at a rate of not less than 8 pounds of seed per acre in close-drilled rows and 3 pounds per acre in clean-cultivated rows. Spring seeding must be completed not later than June 15, 1940, and fall seeding not earlier than August 15, 1940. Operators must show evidence proving amounts and quality of seed used.

**Practice 8.—Seeding biennial sweetclover, bluegrass, buffalo grass, reed canary grass, or mixtures.**—\$1.50 for each 2 acres of cropland or restoration land seeded to biennial sweetclover, bluegrass, buffalo grass, or reed canary grass, alone or in mixtures, or other adapted grasses and legumes or mixtures approved by the State committee. Mixtures may be made up of any of the above crops and may also include or consist of timothy or redbud or alfalfa, except that mixtures consisting solely of timothy and redbud may not be used. Sweetclover alone must be spring-seeded and at a rate not less than 8 pounds per acre, and all other grasses or mixtures at a rate not less than 10 pounds per acre. Mixtures of redbud and sweetclover must contain not less than 20 percent by weight of sweetclover. The above crops or mixtures must be seeded in the spring prior to June 15, 1940, or in the fall not earlier than August 15, 1940. Operators may be required to furnish seed tags or other evidence to the county committee.

## PASTURE IMPROVEMENT

**Practice (R) (a).—Natural reseeding by deferred grazing.**—For natural reseeding of noncrop pasture by deferred grazing and supplemental practices, 75 percent of item (3) of the soil-building allowance may be earned, provided the operator defers grazing on 25 percent of his noncrop pasture land and performs supplemental practices equal in value to 75 percent of the portion of soil-building allowance computed as above. If less than 25 percent of the noncrop pasture land is deferred, a proportionate payment will be made, provided supplemental practices equal to the amount of the payment earned are carried out. If less than the required number of supplemental practices are carried out, payment cannot exceed the value of the practices performed.

The above payment will be made, provided—

(1) The deferred area must be withheld from grazing from April 15, 1940, to August 15, 1940;

(2) On operating units on which cattle or horses are grazed, the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent the entry of livestock or, on ranching units used exclusively for grazing sheep, the entry of sheep on the deferred acreage is prevented by herding. The operator must demonstrate to the satisfaction of the county committee that objectives of deferred-grazing practices have been accomplished;

(3) The remaining noncrop pasture land in such operating unit is not pastured to such an extent as will decrease the stand of grass or injure the forage, tree growth, or watershed;

(4) Such practice shall not be applicable to noncrop pasture land in the operating unit which normally is not used for grazing;

(5) The operator has submitted to the county committee, in writing, prior to the initiation of such practice, the designation of the area of the operating unit to be deferred;

(6) The operator shall carry out such supplemental practices as shall be established by the county committee with the approval of the State committee. No livestock shall be grazed upon the deferred area during the period April 15, 1940, to August 15, 1940. The deferred-grazing area, however, may be used for grazing at the close of this period, but hay

shall not be cut nor seed harvested therefrom in 1940. Prior to the approval of deferred grazing on a part of an operating unit the county committee shall record, in writing, their determination, based upon facts presented, that the remaining noncrop pastureland in such operating unit will not be pastured in 1940 to such an extent as will decrease the stand of grass or injure the forage, tree growth, or watershed.

**Practice (R) (b)—Artificial reseeding.**—\$1.50 for each 10 pounds of good seed of adapted perennial grasses used in replanting depleted pastures or restoration land. Payment under this practice shall not exceed \$1.50 per acre. Spring seedings shall be made prior to June 15, 1940, and fall seedings shall be after August 15, 1940.

**Practice (R) (g)—Earthen tanks and reservoirs.**—15 cents per cubic yard of material moved not in excess of 5,000 cubic yards and 10 cents per cubic yard of material moved in excess of 5,000 cubic yards, for each tank or reservoir, for constructing reservoirs or earthen tanks for the purpose of providing water for livestock, with spillways adequate to prevent dams from washing out.

Existing dams may be enlarged if the project has prior approval of the State committee based upon the recommendation of the county committee. This recommendation must show that the dam is properly located, its enlargement is necessary to make permanent water available, and the yardage in place as well as the yardage in the proposed enlargement.

Prior approval must be obtained from the county committee, at which time detailed specifications will be given to the operator.

**Practice (R) (i) (1)—Wells.**—\$2 per linear foot for drilling or digging wells with casing not less than 4 inches in diameter, for the purpose of providing water for livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. The well cannot be closer to headquarters than approximately one-half mile.

Any well developed for payment shall supply ample water for the number of livestock using the adjoining noncrop pasture land during the grazing period, and shall be for the purpose of bringing about such an improved distribution of stock on such noncrop pasture land as will conserve and restore the vegetative cover thereof. A dry hole shall not qualify. A mechanical lifting device other than a hand pump shall be installed and be in operation at the time of inspection. An existing well may be deepened to provide an additional supply of water adequate for the number of livestock on the adjacent noncrop pasture, but under no circumstance shall such performance be approved before measurements showing the depth of the existing well have been made and recorded with the county committee.

A good sound trough or pipe shall convey the water to a tank or storage reservoir, which shall be of sufficient size to assure an ample supply of good clear water for the number of livestock using the adjacent noncrop pasture land.

Ample protection must be given to the well and watering facilities used in connection with the well.

No payment will be made for a tank or storage reservoir constructed in connection with this practice. An artesian well shall not qualify under this practice. This practice is not applicable on units having less than 640 acres of noncrop pasture land. Prior approval must be obtained from the county committee before institution of the practice.

**Practice (R) (i) (2)—Wells.**—\$1 per linear foot for drilling wells with casing less than 4 inches in diameter, for the purpose of providing water for livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. An artesian well with casing less than 4 inches in diameter will qualify for payment, provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or storage reservoir. The well cannot be closer to headquarters than approximately one-half mile.

The same specifications as for a well with 4-inch casing will apply, with the exception that no payment will be made for a well other than an artesian well under this practice if casing less than 2 inches is installed. An artesian well equipped with a cut-off device, when constructed according to specifications, will be approved, but a mechanical lifting device will not be required. No payment will be made for a tank or storage reservoir constructed in connection with this practice. Prior approval must be obtained from the county committee.



This practice is not applicable on units having less than 640 acres of noncrop pasture land.

**Practice (R) (j) (1)—Development of springs or seeps, in soil.**—30 cents per cubic foot in soil or gravel for excavation of source for development of natural watering places, provided the minimum payment will be \$20 and the maximum payment \$100 for any single development, and provided further that the total cost of the development is not less than \$20. Payment will not be made for springs or seeps developed at the headquarters.

In developing springs or seeps for the purpose of providing water for livestock, the source must be protected from trampling and at least 40 cubic feet of available water storage provided. Prior approval must be obtained from the county committee, at which time detailed specifications will be given to the operator.

**Practice (R) (j) (2)—Development of springs or seeps, in rock.**—50 cents per cubic foot in rock formation for excavation of a spring or seep. Specifications for this practice are identical with those for practice (R) (j) (1).

### GREEN-MANURE AND COVER CROPS

**Practice 17 (a)—Green-manure crops.**—\$1.50 for turning under 4 acres of a good growth of green manure.

Crops applicable as green manure are annual and biennial sweetclover. Biennial sweetclover is applicable on cropland in Pembina, Walsh, Grand Forks, Traill, Cass, and Richland Counties, and on irrigated land in all counties, and must be turned under prior to July 1, 1940.

Annual sweetclover is applicable as green manure only on irrigated land.

Green-manure crops must be inspected prior to or at the time of turning under.

If green-manure crops are turned under on land subject to erosion, such crops must be followed by a winter cover crop.

**Practice 17 (b)—Cover crops.**—\$1.50 for each 8 acres of a good stand and good growth of crops left on restoration land as cover crops. Applicable crops are winter rye seeded in the spring prior to July 1, 1940, sweet sorghums, Sudan grass, millet, oats, or barley.

All growth must remain on the land unharvested as a winter cover crop.

Any crop for which credit is given in 1940 under any other soil-building practice, or any crop from which seed is harvested by mechanical means, is not applicable under practice (17) (a) or (b).

### EROSION CONTROL

**Practice (R) (f) (1)—Spreader dams.**—15 cents per cubic yard of material moved in building spreader dams. Dams shall be built on intermittent streams (coulees or draws). Small dams not in excess of 4 feet in height shall have minimum side slopes of 2 to 1 and the crown shall be not less than 1 foot wide. Dams in excess of 4 feet in height shall be built to same side slopes, freeboard, and crown width as specified for earthen dams under practice R-g.

If necessitated by existing topography, the dam should be supplemented with smaller diversion dams or dikes extending from either one or both ends of the dams or by diversion ditches credited under practice 22. Prior approval must be obtained from the county committee.

**Practice (R) (f) (2)—Spreader terraces.**—50 cents per 100 linear feet of spreader terraces. Spreader terraces may be used either alone or in combination with spreader dams. If terraces are given a grade, the fall shall not exceed 2 inches per 100 feet of length. Terraces shall have a minimum cross-section of 3 square feet. Sufficient opening should be made through the dikes according to topographic features to allow for uniform spreading of diverted water. The openings shall be protected against erosion.

Under no circumstances shall payment be made for performance of practice R-f (1) or R-f (2) unless the diverted water is adequately controlled and its return to the flood channel is retarded sufficiently to prevent erosion. Prior approval must be obtained from the county committee.

**Practice 22—Water spreading.**—\$1.50 for each 300 linear feet of ditching constructed for the diversion and spreading of flood water or well water on cropland, restoration land, pasture land, or hay land. Ditches of less than

300 feet in length will not qualify. The ditches must be of such design as to produce nonerosive velocities of water, the grade not exceeding 2 inches per 100 feet of length, with a cross-section measurement of not less than 3 square feet. The ditch must have ample capacity to carry the diverted water and have an adequate outlet at the discharge end. If openings are made along the ditch these must be protected by either rock riprap or woven-wire spreaders to prevent erosion.

**Practice 28—Protecting restoration land.**—\$1.50 for protecting each 4 acres of land which was properly designated as restoration land in 1938 or 1939 on which the county committee finds that no other soil-building practice is needed in 1940 for the establishment of a permanent vegetative cover. The area shall not be grazed or cut for hay until after August 15, 1940.

**Practice 30—Strip cropping.**—\$1.50 for each 4 acres of strip cropping, including protection of summer-fallow by means of strip fallowing.

(1) Alternate strips of small grains or 1939 small-grain stubble with intertilled row crops or summer-fallow. Strips of intertilled row crops or fallow must be approximately the same width or approximately one-half the width of the adjacent protective strip. Strips of intertilled row crops or fallow must not be less than 5 rods nor more than 20 rods in width. There must be 2 or more strips of intertilled row crops or fallow protected by two or more strips of small grain crops or 1939 small-grain stubble. Buffer strips of grasses or legumes will not disqualify this practice. On excessive slopes the strips should be across the general slope of the land.

(2) Strip cropping on the contour will qualify under this practice, provided the contour lines are established by a qualified person. No two adjoining strips can be planted to row crops or in summer-fallow or both. Strips on the contour need not be of equal width but none shall exceed 20 rods in width.

(3) Protective strips of corn, sweet sorghum, or Sudan grass on summer-fallow.

The protective strips of sweet sorghum or Sudan grass to be 1 rod in width if broadcast, or 4 rows if intertilled, with not more than 5 rods of summer-fallow intervening. The protective crops must be planted prior to June 20, 1940.

When corn is used in the protective strips a southern-grown fodder variety must be used. Corn must be planted between June 10, and June 20, 1940, in close-drilled rows, with 4 rows in each strip, with not more than 5 rods or less than 3 rods of summer-fallow intervening.

All growth on the protective strip must remain unharvested and not used for any purpose, and be left as a winter cover crop.

**Practice 31—Protecting summer-fallowed acreage.**—\$1.50 for each 4 acres of summer-fallow which is protected by incorporating stubble or straw into the surface or by pit cultivation. The first tillage operation in connection with the summer-fallow must be completed not later than June 15, 1940.

All tillage implements used for incorporating the straw or trash into surface soil shall leave the surface rough and shall leave stubble and trash on or near the surface. For summer-fallow which is protected by pit cultivation, the pit rows shall be not more than 4 feet apart and the length of individual pits is to be governed by the slope of the furrow as follows:

- (1) On land where slope is not more than 3 percent, the pit shall not be more than 10 feet long.
- (2) On slopes more than 3 percent and not more than 5 percent, pits shall not be more than 5 feet long.
- (3) On the land where the slope is in excess of 5 percent, the pits shall not be more than 2 feet long.

No credit will be given for this practice when carried out on light sandy soils or on soils in any area where destruction of vegetative cover results in land becoming subject to serious wind erosion.

## FORESTRY

**Practice (R) (1)—Cultivating and maintaining a stand of trees.**—\$3 for each acre of forest trees, or a mixture of forest trees and shrubs suitable for wildlife (planted between July 1, 1935, and July 1, 1940), which are cultivated, protected, and maintained, by replanting if necessary, to keep a stand of not less than 500 living trees or trees and shrubs per acre. Where replanting is necessary, it must be done on clean land. Livestock must be kept out of the area and there must

be sufficient cultivation to keep down the weed growth until August 15, 1940. Measurements on single-row plantings will be taken one-half rod on each side of the row. In block plantings the measurements will be taken one-half rod outside of the last row of plantings.

**Practice 39—Improving forest trees.**—\$3 for each acre of native forest trees improved under an approved system of farm-woodlot and wildlife management which is supervised by the Prairie States Forestry Project. Prior approval must be obtained through the county committee from the State committee, at which time detailed specifications will be given to the operator.

**Practice 40—Planting trees.**—\$7.50 per acre for planting forest trees, including shrubs, beneficial to wildlife, provided the plantings are protected from fire and grazing and are cultivated in accordance with good tree-culture and wildlife management practice. Prior approval of the county committee must be obtained, and detailed approved instructions as to the time of planting, methods of planting, and varieties that may be used will be furnished to each individual whose project meets with its approval.

### OTHER PRACTICES

**Practice (R) (t)—Fire guards.**—5 cents per 100 linear feet for establishment on noncrop pasture land of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if any fire guard is used in connection with controlled burning within the unit. The purpose of this practice is to protect the vegetative cover of an operator's noncrop pasture land against fire. Insofar as possible, fire guards should be established on the crest of ridges or on the contour in order to prevent erosion. Any fire guard established must be kept free from vegetation during the time of year fire may destroy the vegetative cover. No payment will be made for this practice if less than 100 linear feet are established.

**Practice 43—Eradication or control of perennial noxious weeds.**—\$7.50 for each acre of perennial noxious weeds eradicated or controlled, in recognized weed-control areas, by tillage methods or by the use of chemicals. Such weeds for North Dakota are Canada thistle, field bindweed or creeping jenny, whitetop, leafy spurge, and Russian knapweed. This practice is not applicable to restoration land. Prior approval of the county committee of the area to be controlled must be obtained, at which time approved detailed specifications for carrying out weed control will be given to each operator.

### SOIL-DEPLETING ACREAGE

Any acreage of land devoted during the 1940 crop year to one or more of the following crops or uses will be considered as soil-depleting acreage:

Corn planted for any purpose, except late-maturing varieties of southern-grown seed planted in strips to protect summer fallow when not harvested or used for any purpose and left as a winter cover crop, and sweetcorn or popcorn grown in a home garden for use on the farm.

Grain sorghums, sugar beets, mangels, cow beets, or broomcorn planted for any purpose.

Potatoes or annual truck and vegetable crops planted for any purpose except when grown in a home garden for use on the farm.

Commercial bulbs and flowers, commercial mustard, cultivated sunflowers, safflower, or hemp harvested for any purpose.

Field beans planted for any purpose or peas planted for canning, freezing, or dried peas, except when grown in a home garden for use on the farm or when incorporated into the soil as green manure.

Flax planted for any purpose except when used as a nurse crop for biennial or perennial legumes or perennial grasses which are seeded in a workmanlike manner, or when matched acre for acre



by biennial or perennial legumes or perennial grasses seeded alone in a workmanlike manner.

Wheat planted, or regarded as planted, for any purpose on a wheat-allotment farm.

Wheat on a non-wheat-allotment farm harvested for grain or for any purpose after reaching maturity.

Oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for grain.

Wheat on a non-wheat-allotment farm, oats, barely, rye, emmer, speltz, or mixtures of these crops, including designated mixtures containing wheat on any farm, harvested for hay, except when such crops are used as nurse crops for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut green for hay.

Buckwheat, Sudan grass, or millet harvested for grain or seed.

Sweet sorghums harvested for grain, seed, or sirup.

Land summer-fallowed and not protected from wind and water erosion by one of the following methods:

- (1) Strip cropping to protect fallow (practice 30);
- (2) Incorporating stubble and straw into the surface soil (practice 31);
- (3) Pit cultivation (practice 31);
- (4) By furrowing and ridging with furrows 5 inches in depth and distance between furrows not exceeding 1 rod;
- (5) Contour furrowing;
- (6) Rye seeded in the fall prior to September 1; and
- (7) Barley or oats seeded as cover crops between July 20 and August 20, when a good growth is obtained and left unharvested as a winter cover crop.

## PAYMENT PROVISIONS

**Division of special-crop and total soil-depleting allotment payments.**—In general, the crop-allotment payments and deductions will be divided between landlords and tenants as the crop is divided. In cases where two or more separately owned tracts of land comprise a farm, the share of each person in the payment or deduction will be that indicated on ACP-95 if all interested persons agree.

**Division of soil-building payments.**—The payments earned in connection with the soil-building practices will be paid to the landlord or tenant who carried out the soil-building practices.

**Deductions from other farms.**—If a person complies on one farm and has an interest in any other farm which is not in compliance to the extent that deductions exceed the payments, the payments due him on the farm in compliance will be reduced by his share of the deductions carried over from any farm not in compliance.

**Increase in small payments.**—If the total payment computed for any person is less than \$200, the payment will be increased by an amount fixed by the law. Information as to the exact amount of the increase can be obtained from the county committee.

**Payments limited to \$10,000.**—Payments to any individual, partnership, or estate are limited by the law to \$10,000 in a State; a corporation or association is, by the law, limited to \$10,000 in the United States.

**Deductions for association expenses.**—The estimated administrative expenses of the county agricultural conservation association shall be deducted pro rata from the payments computed for all the farms in the county.

**Defeating purposes of the program.**—Congress has authorized payments only to persons whose cooperation results in net contributions to the program. Accordingly, payment will be withheld from any person who adopts any practice which tends to defeat or offset the purposes of the program.

**Idle farms.**—The only payments which will be made with respect to farms which are not operated in 1940 are payments for carrying out soil-building practices and in connection with restoration land.

**Payment made or computed without regard to claims.**—Any payment or share of payment will be made without regard to questions of title under State law and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor, except as stated in the paragraph on assignments, and indebtedness due the United States which is subject to set-off.

**Availability of funds.**—All payments provided for in this handbook are subject to the limits determined by appropriations which Congress may provide. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased by as much as 10 percent.

## APPLICATION PROVISIONS

**Eligibility for payment.**—An application for payment may be made by any person for whom a share in the payment with respect to a farm may be computed and who, at the time of harvest, is entitled to share in any of the crops grown on the farm under a lease or operating agreement, or is owner-operator, or who is owner or cash tenant of a farm on June 30, 1940, on which restoration land is designated or participates in carrying out approved soil-building practices on the farm.

**Time of filing application.**—Payments will be made only upon application submitted through the county office on or before March 31, 1941, and only to those persons who furnish required information and file prescribed forms within the respective time limits therefor.

**Other farms in the county.**—A person must make application for payment with respect to all farms in the county which he operates or rents to other persons.

## MISCELLANEOUS PROVISIONS

**Assignments.**—Any person who may be entitled to a payment in connection with the 1940 program may assign his interest in such payments as security for cash loaned or advances made for the purpose of financing the making of a crop in 1940. No assignment will be recognized unless the assignment is made on Form ACP-69 in accordance with instructions contained in ACP-70.



**Appeals.**—Any person has 15 days following his notice of any action of the county committee to file a written appeal asking for reconsideration. Any person having appealed to the county committee who is still dissatisfied may, within 15 days following his notice of the reconsideration, appeal to the State committee, whose action is reviewable by the Regional Director.

**Applicability.**—The provisions of the 1940 program are not applicable to public domain, including land owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands, in which the beneficial ownership is in the United States.

### ADDITIONAL INFORMATION

Complete information may be obtained from the county office of the Agricultural Conservation Association regarding allotments, payments, appeals, detailed specifications for soil-building practices, and other details of the program.

N. E. DODD,  
*Director, Western Division.*